

SERVICE DATE – JULY 17, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 575

REVIEW OF RAIL ACCESS AND COMPETITION ISSUES  
RENEWED PETITION OF THE WESTERN COAL TRAFFIC LEAGUE

Decided: July 17, 2006

The Board will hold a public hearing in this proceeding for interested parties on Thursday, July 27, 2006, beginning at 10:00 a.m., in the 7th floor hearing room at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, D.C. The hearing will provide interested parties with the opportunity to address whether the Board should adopt rules to limit the extent to which agreements for the sale or lease of railroad lines, by larger railroads to existing or newly created short line railroads, may restrict the incentive or the ability of the purchaser or tenant to interchange traffic with connecting carriers that could compete with the seller or landlord carrier.

The Board announced the hearing by decision served on June 2, 2006, and established due dates for parties wishing to speak at the hearing to advise the Board of their intent to participate and request a time allotment, and for submission of a written summary of his/her presentation. Based on those submissions, the Board is issuing this decision to set the schedule of speakers for the hearing.

The schedule of appearances and the time provided for each party appear in the Appendix to this decision. The Board will have read the written submissions in advance of the hearing. Witnesses should not read their written submissions at the hearing, but instead should briefly summarize their key points.

If a party wishes to enhance its presentation by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the hearing room's projection system on July 26, 2006, from 2 p.m. to 4 p.m. Please call (202) 565-1653 or (202) 565-1500 to make arrangements.

Instructions for Attendance at Hearing

The Board requests that all persons attending the hearing use the Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Streets). There will be no reserved seating. Please plan to arrive early enough to be seated no later than 9:45 a.m. For security reasons, all persons should be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all

briefcases, handbags, and any other bags. Visitors must be cleared through security in the Board's Suite 100 (on the 1st Floor, at the top of the ramp to the left of the main lobby) prior to being escorted to the hearing room.

Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines. Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular phones may only be used outside the hearing room.

The Board's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodations should contact Beverly Ledbetter in the Board's Office of Proceedings at (202) 565-1653, or Bettye Uzzle at (202) 565-1500, by the close of business on July 20, 2006.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Time for the hearing is allotted as reflected in the Appendix to this decision.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

**APPENDIX**  
**SCHEDULE OF APPEARANCES**

**July 27, 2006**

<b><u>Party</u></b>	<b><u>Time Allotted</u></b>
<b>Panel I</b>	
Western Coal Traffic League David Laffere/Andrew B. Kolesar III	10 minutes
Alliance for Rail Competition Michael E. Grisso	10 minutes
American Chemistry Council Thomas E. Schick	10 minutes
Edison Electric Institute Michael F. McBride	5 minutes
National Grain and Feed Ass'n Andrew P. Goldstein	5 minutes
<b>Panel II</b>	
Association of American Railroads Louis P. Warchot	10 minutes
American Short Line and Regional R.R. Ass'n Keith T. Borman	5 minutes
Railroad Industry Working Group J. Reilly McCarren	5 minutes
Union Pacific Railroad Company John T. Gray	5 minutes
<b>Panel III</b>	
Ameren Energy Fuels and Services Co. Sandra Brown	10 minutes

Arkansas Electric Cooperative Corp. Steve Sharp	10 minutes
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Dow Chemical Co. Jeff Baker/Mike Munro	10 minutes
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Entergy Services and Entergy Arkansas, Inc. Jeffrey G. Herndon	10 minutes
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**Panel IV**

Columbus & Greenville R. Co. Roger Bell	5 minutes
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Genesee & Wyoming, Inc., and Farmrail System, Inc. Charles N. Marshall	5 minutes
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Oil Creek & Titusville Lines, Inc. Robert Dingman	5 minutes
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Reading Blue Mountain & Northern R. Co. Wayne A. Michel	5 minutes
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Watco Companies, Inc. Rich Webb	5 minutes
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Wheeling & Lake Erie Railway Company Larry Parsons	5 minutes
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